

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

INES BRIENO, ESMERALDO LEON, and FRANCISCO
VARGAS AGUIRRE individually and on behalf of all other
persons similarly situated who were employed by USI
SERVICES GROUP, INC., ULTIMATE SERVICES INC.,
and FRED GOLDRING and/or any other entities affiliated
with or controlled by USI SERVICES GROUP, INC.,
ULTIMATE SERVICES INC., and FRED GOLDRING,
Plaintiffs,

- against -

USI SERVICES GROUP, INC., ULTIMATE SERVICES
INC., and FRED GOLDRING individually, and/or any
other predecessors, successors, and entities affiliated with or
related to, or controlled by USI SERVICES GROUP, INC.,
ULTIMATE SERVICES INC., and FRED GOLDRING,
Defendants.

No.09-4252(PKC)(AKT)

**ORDER
PRELIMINARILY
APPROVING THE
PROCEDURE PUBLISHING
PROPOSED NOTICE OF
COLLECTIVE ACTION
SETTLEMENT AND CLAIM
FORM AND RELEASE**

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 25 2017 ★

LONG ISLAND OFFICE

The above-entitled matter came before the Court for Preliminary Approval of the FLSA Settlement, Approval of Plaintiffs' Proposed Notice of Proposed Settlement ("Notice") and Proposed Claim Form and Release ("Claim Form").

I. Approval of FLSA Collective Action Settlement

1. Based upon the Court's review of the Declaration of Lloyd Ambinder ("Ambinder Dec."), and all other papers submitted in connection with this Preliminary Approval Motion, the Court grants preliminary approval of the FLSA Collective Action Settlement memorialized in the Settlement Agreement and Release ("Settlement Agreement").

2. The Court concludes that Notice to the FLSA Collective Action Members is appropriate.

3. The Court finds that the Settlement Agreement is the result of extensive, arm's length negotiations.

II. Notice

4. The Court approves the Notice of Proposed Collective Action Settlement and the Claim Form and Release annexed hereto and to the Ambinder Declaration as Exhibits "A" and "B" and directs its distribution in English and Spanish via First Class Mail.

III. Settlement Procedure

5. The Court hereby sets the following settlement procedure:

30 days after entry of Preliminary Approval Order: <i>DATE: October 26, 2017</i>	Mailing of the Notice and Claim Form.
45 days after date of mailing of the Notice and Claim Form: <i>DATE: December 12, 2017</i>	Last day for Class Members to "opt out" of the Settlement or to submit written objections to the Settlement.
45 days after date of mailing of the Notice and Claim Form: <i>DATE: December 12, 2017</i>	Last day for Class Members to qualify as Authorized Claimant by filing claim form to join the settlement.
15 days prior to Fairness Hearing <i>DATE: January 15, 2018</i>	Date for parties to file proposed Final Order, summary of claims made and application in support of proposed Final Settlement.
<i>DATE: 2016</i> <i>January 30, 2018 at noon</i>	Final settlement approval hearing ("Fairness Hearing").

It is so ORDERED this 25th day of September, 2017.

[Signature]
/s/ A. Kathleen Tomlinson

Hon. A. Kathleen Tomlinson, U.S.M.J.